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10 Attorney for Defendant
11 NOEL BRAVO-SOSA

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14 IN THE UNITED STATES DISTRICT COURT
15 FOR THE EASTERN DISTRICT OF CALIFORNIA

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17 UNITED STATES OF AMERICA,) No. 2:01-cr-00264-MCE
18 Plaintiff,)
19 v.) **STIPULATED MOTION AND [lodged]**
20 NOEL BRAVO-SOSA,) **ORDER TO REDUCE SENTENCE PURSUANT**
21 Defendant.) **TO 18 U.S.C. § 3582(c)(2)**
22)
23) **RETROACTIVE CRACK COCAINE**
24) **REDUCTION CASE**
25)
26)
27)
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30 Defendant, NOEL BRAVO-SOSA, by and through his attorney, Assistant
31 Federal Defender David M. Porter, and plaintiff, UNITED STATES OF
32 AMERICA, by and through its counsel, Assistant U.S. Attorney Heiko
33 Philipp Coppola, hereby stipulate as follows:

34 1. Pursuant to 18 U.S.C. § 3582(c)(2), this court may reduce the
35 term of imprisonment in the case of a defendant who has been sentenced
36 to a term of imprisonment based on a sentencing range that has
37 subsequently been lowered by the Sentencing Commission pursuant to 28
38 U.S.C. § 994(o);

39 2. The sentencing range applicable to Mr. Bravo-Sosa was
40 subsequently lowered by the United States Sentencing Commission in
41 Amendment 706 by two levels;

1 3. Accordingly, Mr. Bravo-Sosa's offense level has been reduced
2 from 34 to 32, and a sentence at the mandatory minimum would be 240
3 months;

4 4. Mr. Bravo-Sosa merits a reduction in his sentence based on
5 the factors listed in 18 U.S.C. § 3553(a), as well as considerations of
6 public safety and Mr. Bravo-Sosa's positive post-sentencing conduct;

7 5. Accordingly, the parties request the court to enter the order
8 lodged herewith reducing Mr. Bravo-Sosa's term of imprisonment to an
9 aggregate term of 240 months on all counts.

10 Dated: July 2, 2008

11 Respectfully submitted,

12 MCGREGOR SCOTT
United States Attorney

DANIEL J. BRODERICK
Federal Defender

14 _____
15 /s/ *Heiko Philipp Coppola*
HEIKO PHILIPP COPPOLA
Assistant U.S. Attorney
16 Attorney for Plaintiff
17 UNITED STATES OF AMERICA

15 /s/ *David M. Porter*
DAVID M. PORTER
Assistant Federal Defender
16 Attorney for Movant
17 NOEL BRAVO-SOSA

18 **ORDER**

19 This matter came before the Court on the stipulated motion of the
20 defendant for reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2).

21 On September 16, 2003, this Court sentenced Mr. Bravo-Sosa to a
22 term of imprisonment of 293 months. The parties agree, and the Court
23 finds, that Mr. Bravo-Sosa is entitled to the benefit of the
24 retroactive amendment reducing crack cocaine penalties, which reduces
25 the applicable offense level from 34 to 32.

26 IT IS HEREBY ORDERED that the term of imprisonment originally
27 imposed is reduced to an aggregate term of 240 months on all counts;

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1 IT IS FURTHER ORDERED that all other terms and provisions of the
2 original judgment remain in effect.

3 Unless otherwise ordered, Mr. Bravo-Sosa shall report to the
4 United States Probation office closest to the release destination
5 within seventy-two hours after his release.

6 Dated: July 25, 2008



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8 MORRISON C. ENGLAND, JR.
9 UNITED STATES DISTRICT JUDGE
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